

ORIGINAL



Roger K. Toppins  
General Attorney &  
Assistant General Counsel

SBC Telecommunications, Inc.  
1401 I Street, N.W., 11th Floor  
Washington, D.C. 20005  
Phone 202 326-8912  
Fax 202 408-8731  
Pager 1 877 657-2149  
Cellular 202 316-8912  
Email: rt6470@corp.sbc.com

April 7, 2000

EX PARTE OR LATE FILED

**BY HAND**

Magalie Roman Salas, Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, S.W.  
12th Street Lobby, TW-A325  
Washington, D.C. 20554

RECEIVED  
APR - 7 2000  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: *Motion Of SBC Communications Inc. For Acceptance Of Late-Filed Comments And Withdrawal Of Erroneously Filed Pleading*

In the Matter of Inquiry Concerning Deployment of Advanced Telecommunications Capability To All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996

CC Docket No. 98-146

Dear Ms. Salas:

On March 20, 2000, the Comments of SBC Communications Inc. were timely filed in the above-referenced docket. Unfortunately, a draft of the Comments, instead of the final version of the document, was submitted electronically to the Office of the Secretary. However, the correct version was served on the parties to the proceeding in a timely manner. Attached please find a corrected version of the Comments along with a *Motion Of SBC Communications Inc. For Acceptance Of Late-Filed Comments And Withdrawal Of Erroneously Filed Pleading*. We respectfully request that the originally filed version of the Comments be withdrawn and that all publicly available electronic and paper copies be replaced with the corrected version attached hereto. We have included a notation on the top of the first page of the new document indicating that it is a corrected version in order to avoid confusion for the public. We apologize for any inconvenience this may have caused.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Roger K. Toppins

cc: John Berresford, Esq. (By Hand)

No. of Copies rec'd  
List ABCDE

074

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

**RECEIVED**

**APR - 7 2000**

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

In the Matter of )  
)  
Inquiry Concerning Deployment )  
of Advanced Telecommunications )  
Capability To All Americans in a )  
Reasonable and Timely Fashion, )  
and Possible Steps to Accelerate Such )  
Deployment Pursuant to Section 706 )  
of the Telecommunications Act of 1996 )

CC Docket No. 98-146

**MOTION OF SBC COMMUNICATIONS INC. FOR  
ACCEPTANCE OF LATE-FILED COMMENTS AND  
WITHDRAWAL OF ERRONEOUSLY FILED PLEADING**

Pursuant to Section 1.46(b) of the Federal Communications Commission's (FCC) Rules,<sup>1</sup> SBC Communications Inc. (SBC) hereby requests permission to submit late-filed Comments in the above-referenced proceeding and requests that the Commission withdraw SBC's erroneously filed Comments. Due to an error by one of SBC's administrative assistants, a draft of the Comments, instead of the final version of the document, was submitted electronically to the Commission. As a result, the Office of the Secretary received the wrong document. However, the correct version of the Comments was served on the parties to the proceeding in a timely manner. Because all parties to the proceeding, except the Office of the Secretary, received the correct version of the Comments in a timely manner, SBC believes that grant of this Motion will not harm the public interest.

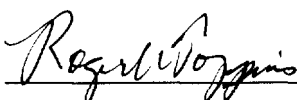
---

<sup>1</sup> "In emergency situations, the Commission will consider a late-filed motion for a brief extension of time related to the duration of the emergency and will consider motions for acceptance of comments, reply comments or other filings made after the filing date." 47 C.F.R. § 1.46(b).

SBC recently relocated its FCC Legal Department to Washington, D.C., and as part of the move, and in response to this erroneous filing, has initiated new, in-house procedures to prevent this from happening again. Accordingly, prior to the submission of any pleading filed before the Commission, an attorney will review the electronic submission to ensure that it and any attachment are properly. SBC apologizes for any inconvenience this may have caused and respectfully requests that the filed version of the Comments be withdrawn and that all publicly available electronic and paper copies, including those listed on the Commission's Internet site, be replaced with the corrected version attached hereto.

Respectfully submitted,

SBC Communications Inc.

By: \_\_\_\_\_

Roger K. Toppins  
Mark P. Royer  
SBC Communications Inc.  
1401 I Street, N.W., Suite 1100  
Washington, DC 20005  
(202) 326-8800

Its Attorneys

April 7, 2000

ITS INC  
1231 20TH STREET, NW  
WASHINGTON, D.C. 20036

CAROL C HENDERSON  
EXECUTIVE DIRECTOR  
AMERICAN LIBRARY ASSOCIATION  
WASHINGTON OFFICE  
1301 PENNSYLVANIA AVE NW  
SUITE 403  
WASHINGTON DC 20004

DAVID A IRWIN  
MOULTRIE INDEPENDENT TELEPHONE COMPANY  
IRWIN CAMPBELL & TANNENWALD  
1730 RHODE ISLAND AVENUE NW  
SUITE 200  
WASHINGTON DC 20036-3101

HENRY GOLDBERG  
W KENNETH FERREE  
GOLDBERG OODLES WIENER & WRIGHT  
COUNSEL FOR OPTEL INC  
1229 NINETEENTH ST NW  
WASHINGTON DC 20036

LAWRENCE G MALONE  
GENERAL COUNSEL  
PUBLIC SERVICE COMMISSION OF THE STATE OF  
NEW YORK  
THREE EMPIRE STATE PLAZA  
ALBANY NY 12223

L MARIE GUILLORY  
NATIONAL TELEPHONE COOPERATIVE  
ASSOCIATION  
2626 PENNSYLVANIA AVE NW  
WASHINGTON DC 20037

RICHARD A BEVERLY  
GENERAL COUNSEL  
PUBLIC SERVICE COMMISSION OF THE DISTRICT  
OF COLUMBIA  
717 FOURTEENTH S T NW  
WASHINGTON DC 20005

RUSSELL M BLAU  
KATHLEEN L GREENAN  
SWIDLER BERLIN SHEREFF FRIEDMAN LLP  
3000 K STREET NW SUITE 300  
WASHINGTON DC 20007

M ROBERT SUTHERLAND  
MICHAEL A TANNER BELLSOUTH CORPORATION  
1155 PEACHTREE ST NE  
SUITE 1700  
ATLANTA GA 30309

HOWARD J SYMONS GIL M STOBEL  
MINTZ LEVIN CORN FERRIS GLOVSKY  
AND POPEO  
COUNSEL FOR CABLEVISION SYSTEMS CORP  
701 PENNSYLVANIA AVE NW STE900  
WASHINGTON DC 20004-2608

ANDREA D WILLIAMS  
CELLULAR TELECOMMUNICATIONS  
INDUSTRY ASSOCIATION  
1250 CONNECTICUT AVE NW  
WASHINGTON DC 20036

DONALD WEIGHTMAN  
COALITION OF UTAH INDEPENDENT INTERNET  
SERVICE PROVIDERS  
510 C STREET NE  
WASHINGTON DC 20002

RONALD L PLESSER  
MARK J OCONNOR  
PIPER & MARBURY LLP COUNSEL FOR  
COMMERCIAL INTERNET eXchange  
ASSOCIATION  
1200 NINETEEN ST NW  
WASHINGTON DC 20036

CHRISTOPHER W SAVAGE  
COLE RAYWID & BRAVERMAN  
COUNSEL FOR COMCAST  
1919 PENNSYLVANIA AVE NW SUITE 200  
WASHINGTON DC 20006

GAIL L POLIVY  
GTE SERVICE CORPORATION  
1850 M STREET NW SUITE 1200  
WASHINGTON DC 20036

SUSAN M BID  
DAVID RUBASHIGN  
MEDIAONE GROUP INC  
1919 PENNSYLVANIA AVE NW  
SUITE 610  
WASHINGTON DC 20006

BRIAN CONBOY  
THOMAS JONES  
WILLKIE FARR & GALLAGHER  
COUNSEL FOR TIME WARNER CABLE  
THREE LAFAYETTE CENTRE  
WASHINGTON DC 20036

ROBERT B MCKENNA  
US WEST INC  
1020 19TH STREET NW  
WASHINGTON DC 20036

STEVEN GOROSH  
VICE PRESIDENT & GENERAL COUNSEL  
NORTHPOINT COMMUNICATIONS INC  
222 SUTTER STREET  
SAN FRANCISCO CA 94108

STEPHEN N BROWN  
DIRECTOR OF PUBLIC & TECHNOLOGY POLICY  
NEW WORLD PARADIGM LTD  
401 12TH STREET SOUTH STE 1421  
ARLINGTON VA 22202

JONATHAN JACOB NADLER  
BRIAN J MCHUGH  
SQUIRE SANDERS & DEMPSEY LLP  
COUNSEL FOR THE INFORMATION  
TECHNOLOGY ASSOCIATION OF AMERICA  
1201 PENNSYLVANIA AVE NW  
WASHINGTON DC 20044

JEFFRY H SMITH  
GVNW INC/MANAGEMENT  
8050 SW WARM SPRINGS STREET SUITE 200  
TUALATIN OR 97062

EMILY C HEWITT  
GENERAL COUNSEL  
GENERAL SERVICE ADMINISTRATI ON  
1800 F STREET NW ROOM 4002  
WASHINGTON DC 20405

KECIA BONEY  
DALE DIXON  
MCI COMMUNICATIONS CORPORATION  
1801 PENNSYLVANIA AVE NW  
WASHINGTON DC 20006

CATHERINE R SLOAN  
DAVID N PORTER  
RICHARD L FRUCHTERMAN III  
WORLDCOM INC  
1120 CONNECTICUT AVE NW STE 400  
WASHINGTON DC 20036

MICHAEL S SLOMIN  
BELL COMMUNICATION RESEARCH INC  
445 SOUTH STREET MCC-I J30R  
MORRISTOWN NJ 076960

MARK C ROSENBLUM  
AVA B KLEINMAN  
AT&T CORP  
295 NOR TH MAPLE A VENUE  
ROOM 3252J1  
BASKING RIDGE NJ 07920

BRAD E MUTSCHELKNAUS  
JOHN J HEITMANN  
KELLY DRYE & WARREN LLP  
COUNSEL FOR e.spire COMMUNICATIONS INC  
1200 19TH STREET NW  
FIFTH FLOOR  
WASHINGTON DC 20036

RILEY M MURPHY  
EXECUTIVE VICE PRESIDENT  
AND GENERAL COUNSEL  
e.spire COMMUNICATIONS INC  
133 NATIONAL BUSINESS PARKWAY  
SUITE 200  
ANNAPOLIS JUNCTION MD 20701

DAVID ELLEN ESQ  
CABLEVISION SYSTEMS CORP  
ONE MEDIA CROSSWAYS  
WOODBURY NY 11797

WILLIAM J EVANS  
PARSONS BEHLE & LATIMER  
COUNSEL FOR CUIISP  
ONE UTAH CENTER  
201 OUSTH MAIN STREET  
SUITE 1800  
SALT LAKE CITY UT 45898

DONNA N LAMPERT  
YARON DORI  
MINTZ LEVEN COHN FERRIS  
GLOVSKY AND POPEO  
COUNSEL FOR MEDIA FUSION CORPORATION  
WASHINGTON DC 20004-2608

DANA FRIX  
KATHLEEN L GREENAN  
SWIDLER BERIN SHEREFF FRIEDMAN  
COUNSEL FOR PHONES FOR ALL INC  
3000 K STREET NW STE 300  
WASHINGTON DC 20007

TERRENCE J FERGUSON  
SENIOR VICE PRESIDENT AND SPECIAL COUNSEL  
LEVEL 3 COMMUNICATIONS INC  
3555 FARNAM STREET  
OMAHA NE 68131

DAVID F FISHER  
VICE PRESIDENT GENERAL COUNSEL  
AND CORPORATE SECRETARY  
ADC TELECOMMUNICATIONS INC  
PO BOX 1101  
MINNEAPOLIS, MN 55440-1101

ROBERTH GRIFFEN  
BELL ATLANTIC CORP  
1320 NORTH COURT HOUSE ROAD  
EIGHTH FLOOR  
ARLINGTON VA 22201

JOSEPH T GARRITY  
SENIOR DIRECTOR  
QWEST COMMUNICATIONS  
555 17<sup>TH</sup> STREET  
DENVER CO 80202

PETER A ROHRBACK  
LINDA L OLIVER  
HOGAN & HARTSON  
COUNSEL FOR QWEST COMMUNICATIONS  
CORPORATION  
555 THIRTEENTH ST NW  
WASHINGTON DC 20004

MARGOT SMILEY HUMPHREY  
KOTEEN & NAFTALIN LLP  
COUNSEL FOR TDS TELECOMMUNICATIONS  
CORP  
1150 CONNECTICUT AVENUE NW  
SUITE 1000  
WASHINGTON DC 20036

GEORGE V RADENBURG III  
WILLIAM W BURRINGTON  
AMERICA ONLINE INC  
1101 CONNECTICUT AVENUE NW SUITE 400  
WASHINGTON DC 20036

JONATHAN E CANIS  
KELLEY DRYE & WARREN  
COUNSEL FOR INTERMEDIA  
COMMUNICATIONS  
1200 NINETEENTH ST NW FIFTH FLOOR  
WASHINGTON DC 20036

MARGOT SMILEY HUMPHREY  
KOTEEN & NAFTALIN  
COUNSEL FOR NATIONAL RURAL TELECOM  
ASSOCIATION  
1150 CONNECTICUT AVENUE NW SUITE 1000  
WASHINGTON DC 20036-4104

KATHRYN CLODFELTER  
CRAWFORD COUNTY COMMUNITY NETWORK  
6341 W NEWTON STEWARD RD  
TASWELL IN 47175

LEON M KESTENBAUM  
JAY C KEITHLEY  
SPRINT CORPORATION  
1850 M STREET NW SUITE 1110  
WASHINGTON DC 20036

JIM WARNER  
UNIVERSITY OF CALIFORNIA  
CATS-COMM BLDG  
SANT A CRUZ CA 95064

CARESSA D BENNET  
GREGORY W WHITEAKER  
BENNET & BENNET  
1019 NINETEENTH ST NW SUITE 500  
WASHINGTON DC 20036

MICHAEL L THEIS  
KIESLING CONSULTING  
6401 ODANA ROAD  
MADISON WI 53719

ANDREW D LIPMAN  
TAMAR E FINN  
SWIDLER BERLIN SHEREFF FRIEDMAN  
3000 K STREET NW SUITE 300  
WASHINGTON DC 20007

JOSEPH W MILLER  
WILLIAM COMMUNICATIONS INC  
ONE WILLIAMS CENTER  
SUITE 4100  
TULSA OK 74102

LAURENCE E HARRIS  
DAVID S TURETSKY  
TELIGENT INC  
8065 LEESBURG PIKE SUITE 400  
VIENNA VA 22182

PHILIP L VERVEER  
GUNNAR D HALLEY  
WILLKIE FARR & GALLASHER  
COUNSEL FOR TELIGENT INC  
THREE LAFAYETTE CENTRE  
1155 21ST ST NW  
WASHINGTON DC 20036

JOHN G LAMB JR  
NORTHERN TELECOM INC  
2100 LAKESIDE BOULEVARD  
RICHARDSON TEXAS 75081-1599

STEPHEN L GOODMAN  
HALPRIN TEMPLE GOODMAN & SUGRUE  
COUNSEL FOR NORTHERN TELECOM INC  
555 12<sup>th</sup> ST NW #950 NORTH  
WASHINGTON DC 20004

PETER D KEISLER  
MICHAEL DOSS  
SIDLEY & AUSTIN  
COUNSEL FOR AT&T CORP  
1722 EYE STREET NW  
WASHINGTON DC 20006

JAMES BALLER  
SEAN STOKES  
THE BALLER LAW GROUP PC  
1820 JEFFERSON PLACE NW SUITE 200  
WASHINGTON DC 20036

ROBERT W MCCAUSLAND  
VICE PRESIDENT REGULATORY AND  
INTERCONNECTION  
ALLEGIANCE TELECOM INC  
1950 STEMMON FREEWAY SUITE 3026  
DALLAS TX 75207-3118

LAWRENCE E SARJEANT  
LINDA KENT  
UNITED STATES TELEPHONE ASSOCIATION  
1401 H STREET NW STE 600  
WASHINGTON DC 20005

MITCHELL LAZARUS  
FLETCHER HEALD & HILDRETH  
COUNSEL FOR THE INTERNET SERVICE  
PROVIDERS' CONSORTIUM  
1300 NORTH 17TH ST 11TH FLOOR  
ARLINGTON VA 22209

KATHRYN A KLEIMAN  
INTERNET MATTERS  
PO BOX 25876  
ALEXANDRIA VA 22313

WAYNE MOVERS  
VICE PRESIDENT  
WIRELESS INFORMATION NETWORKS FORUM  
1200 19<sup>TH</sup> STREET NW SUITE 300  
WASHINGTON DC 20036-2401

RANDALL B LOWE  
J TODD METCALF  
PIPER & MARBURY  
COUNSEL FOR TRANSWIRE COMMUNICATIONS  
INC  
1200 NINETEENTH ST NW  
WASHINGTON DC 20036

JEFFREY L SHELDON  
VICE PRESIDENT & GENERAL COUNSEL  
UTC  
1140 CONNECTICUT AVE NW  
SUITE 1140  
WASHINGTON DC 20036

MARY MCDERMOTT  
CHIEF OF STAFF AND SENIOR VICE  
PRESIDENT GOVERNMENT RELATIONS  
PERSONAL COMMUNICATIONS INDUSTRY  
ASSOCIATION  
500 MONTGOMERY STREET  
SUITE 700  
ALEXANDRIA VA 22314

KATHLEEN L GREENAN  
SWIDLER BERLIN SHEREFF FRIEDMAN COUNSEL  
FOR WINSTAR COMMUNICATIONS  
3000 K STREET NW  
WASHINGTON DC 20007

TODD ATKIN  
6011 W CONTAOORA DR  
WEST VALLEY CITY UT 84128

CHARLES A ELDERING  
PROGRESS AND FREEDOM FOUNDATION AND  
PRESIDENT  
TELECOM PARTNERS LTD  
900 TOWN CENTER  
NEW BRITAIN PA 18901

JEFFREY A EISENACH  
PRESIDENT  
PROGRESS & FREEDOM FOUNDATION  
1301 K STREET NW SUITE 550 E  
WASHINGTON DC 20005

ALAN MCCOLLOUGH  
PRESIDENT  
CIRCUIT CITY STORES INC  
9950 MAYLAND DRIVE  
RICHMOND VA 23233

JOSEPH A OODLES  
GOLDBERG OODLES WIENER & WRIGHT  
COUNSEL FOR PANAMSAT CORPORATION  
1229 NINETEENTH STREET NW  
WASHINGTON DC 20036

W SCOTT MCCOLLOUGH  
MCCOLLOUGH AND ASSOCIATES  
COUNSEL FOR THE TEXAS INTERNET SERVICE  
PROVIDERS ASSOCIATION  
1801 NORTH LAMAR SUITE 104  
AUSTIN TX 78701

RONALD L PLESSER  
JAMES J HALPERT  
PIPER & MARBURY  
COUNSEL FOR PSINET INC  
SEVENTH FLOOR  
1200 NINETEENTH ST NW  
WASHINGTON DC 20036

HOWARD J SYMONS  
MICHELLE M MUNDT  
MINTZ LEVIN COHN FERRIS GLOVSKY POPEO  
COUNSEL FOR THE NATIONAL CABLE  
TELEVISION ASSOCIATION INC  
701 PENNSYLVANIA AVE NW  
SUITE 900  
WASHINGTON DC 20004

DANIEL L BRENNER  
NEAL M GOLDBERG  
NATIONAL CABLE TELEVISION ASSOCIATION  
INC  
1724 MASSACHUSETTS AVENUE NW  
WASHINGTON DC 20036

CHARLES M BREWER  
CHAIRMAN AND CHIEF EXECUTIVE OFFICER  
MINDSPRING ENTERPRISES INC  
1430 WEST PEACHTREE ST  
SUITE 400  
ATLANTA GA 30309

KEVIN TMPANE  
ESTEHR H ROSENTHAL  
FIRSTWORLD COMMUNICATIONS INC  
9333 GENESEE AVENUE  
SAN DIEGO CA 92121

JEFFREY BLUMENFELD  
GLEN B MANISHIN  
BLUMENFELD & COHEN -TECHNOLOGY LAW  
GROUP  
COUNSEL FOR RHYTHMS NETCONNECTIONS INC  
FIRSTWORLD COMMUNICATIONS INC AND FIRST  
REGIONAL TELECOM  
1615 M ST NW STE 700  
WASHINGTON DC 20036

BRUCE KUSHNICK  
EXECUTIVE DIRECTOR  
NEW NETWORKS INSTITUTE  
826 BROADWAY SUITE 900  
NEW YORK NY 10003

JORDAN CLARK  
PRESIDENT  
UNITED HOMEOWNERS ASSOCIATION  
655 15TH STREET NW SUITE 460  
WASHINGTON DC 20005

CHERYL A TRITT  
CHARLES H KENNEDY  
MORRISON & FOERSTER  
COUNSEL TO VERIO INC  
2000 PENNSYLVANIA AVE NW  
WASHINGTON DC 20006-1888

MAUREEN A LEWIS  
GENERAL COUNSEL  
ALLIANCE FOR PUBLIC TECHNOLOGY  
901 15TH STREET NW SUITE 230  
WASHINGTON DC 20038

MARK A GRANNIS  
EVAN R GRAYER  
HARRIS WILTSHIRE & GRANNIS  
1200 EIGHTEENTH STREET NW  
WASHINGTON DC 20036

RI CHARD J METZGER  
EMILY M WILLIAMS  
TELECOMMUNICATIONS SERVICES  
888 17<sup>TH</sup> ST NW SUITE 900  
WASHINGTON DC 20006

CYNTHIA S THOMAS  
DIRECTOR REGULATOR AFFAIRS  
PERSONAL COMMUNICATIONS INDUSTRY  
ASSOCIATION  
500 MONTGOMERY STREET  
SUITE 700  
ALEXANDRIA VA 22314-1561

DOUGLAS E HART  
FROST & JACOBS  
COUNSEL FOR CINCINNATI BELL  
TELEPHONE COMPANY  
201 EAST FIFTH STREET  
CINCINNATI OH 45202

PAUL JSINDERBRAND  
ROBERT D PRIMOSCH  
JONA THAN V COHEN  
WILKINSON BARKER KNAUER & QUINN  
2300 N STREET NW  
SUITE 700  
WASHINGTON DC 20037

CARL K OSHIRO  
COUNSELOR AT LAW  
UNIVERSAL SERVICE ALLIANCE  
100 FIRST STREET  
SUITE 2540  
SAN FRANCISCO CA 94 105

PETER B RENNAN  
FAIR TELECOM  
163 THIRD AVENUE SUITE 251  
NEW YORK NY 10003

ASHLEY C SCHANNAUER  
ATTORNEY  
INFORMATION RENAISSANCE  
600 GRANT STREET  
SUITE 2980  
PITTSBURG PA 15219

LAWRENCE J SPIWAK  
GENERAL COUNSEL  
TECHNOLOGY ENTREPRENEUS COALITION  
5335 WISCONSIN AVENUE NW  
SUITE 440  
WASHINGTON DC 20015

PAUL G MADISON  
MICHAEL J FRANCESCONI  
KELLEY D RYE & WARREN  
1200 195TH STREET NW STE 500  
WASHINGTON DC 20036

STUART POLIKOFF  
DIRECTOR OF GOVERNMENT RELATIONS  
OPASTCO  
21 DUPONT CIRCLE NW  
SUITE 700  
WASHINGTON DC 20036

DAVID J NEWBURGER  
NEWBURGER & VOSSMEYER  
COUNSEL FOR CAMPAIGN FOR  
TELECOMMUNICATION ACCESS  
ONE METROPOLITAN SQUARE STE 2400  
ST LOUIS MO 63102

UNABLE TO SERVE THE FOLLOWING DUE TO  
LACK OF MAILING ADDRESS ON PLEADINGS  
SUBMITTED TO FCC:

LOWELL GRAY  
PRESIDENT  
SHORE.NET

RURAL POLICY RESEARCH INSTITUTE